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HONOURABLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION NO:9989 of 2007

DATED: 09-05-2007

Between:

1. Vempalli Kasim Saheb and another

..... PETITIONERS

AND

1. The District Collector, Kadapa District, Kadapa and 2 others.

.....RESPONDENTS

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ORDER:

The writ petition is filed to a writ of mandamus declaring the action of the respondents in trying to dispossess the petitioners from their respective agricultural lands admeasuring 1.50 acres in Sy.No.846/1 belonging to the 1st petitioner and the agriculture land to an extent of 1.07 acres in Sy.No.846/2 and 0.72 acres in Sy.No.791/2 belonging to the 2nd petitioner, situated at C.K.Dinne village, Kadapa District, even during the pendency of the appeal along with the suspension petition filed by the petitioners before the 1st respondent, challenging the orders dated 03-04-2007 in File

No.D.Dis.(E)/376/2004 passed by the 2nd respondent, as illegal, arbitrary, and consequently, direct the respondents not to dispossess the petitioners from their respective lands till the disposal of the appeal pending before the 1st respondent.

It is stated that the father of the petitioner was assigned agriculture land admeasuring Ac.1.50 cents in Sy.No.846/1 in C.K.Dinne Village and Mandal, Kadapa District, vide DKT No.15/1411 dated 16-02-2002, on the ground that he was landless poor. Likewise, second petitioner's mother Smt.Gundluru Peeramma was assigned agriculture land to an extent of 1.07 acres in Sy.No.846/2 and 0.72 acres in Sy.No.791/2 of C.K.Dinne village, Kadapa District, vide DKT No.16/1411 dated 16-02-2002 on the ground that she was a landless poor and a widow.

Several factual details had been narrated in relation to the orders made for resumption of land and it is also stated that aggrieved by the said order appeal had been preferred to the second respondent and the second respondent also passed the order which had been received by them on 16-04-2007 confirming the orders by the third respondent-Mandal Revenue Officer resuming the lands. Aggrieved by the said order, it is stated that, the petitioners had preferred an appeal before the first respondent on 23-04-2007 along with an application to suspend the operation of the proceedings. It is stated that the District Collector had not passed any orders.

In the light of the facts and circumstances, the writ petition be disposed of directing the first respondent to dispose of the appeal of the petitioners in accordance with law and till then status-quo obtaining as on today be maintained

With the above direction, the Writ Petition is disposed of. No costs.

09th May, 2007

NOTE:

Issue operative portion by wire at party's costs.

B/o.

SKM/VGB